

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
WESTERN DIVISION**

In Re:

Case No. 21-80079

William E. Schafman

Chapter 13

Debtor.

Hon. Judge Thomas M. Lynch

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**OBJECTION TO CONFIRMATION OF PLAN FILED ON 01/22/2021**

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**NOW COMES** U.S. Bank Trust National Association, as Trustee of the Tiki Series IV Trust, and/ or its assigns (hereinafter “Creditor”), by and through its attorneys, Sottile & Barile LLC, and moves this Honorable Court for an Order denying confirmation of Debtor’s plan filed on January 22, 2021 and in support thereof states as follows:

1. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on January 22, 2021 and this Court has jurisdiction pursuant to 28 U.S.C. §1334 and Internal Operating Procedure 15(a) of the United States District Court for the Northern District of Illinois.
2. As reflected in the filed Proof of Claim attached hereto, Creditor is a secured creditor with respect to a certain indebtedness in the amount of \$54,870.41. Creditor is secured by an interest in the real property commonly known as 1903 Ogilby Rd, Rockford, IL 61102 and that the Chapter 13 plan herein proposes that Debtor cure the pre-petition arrearage claim through the Chapter 13 Trustee while maintaining current, post-petition mortgage payments.
3. Creditor’s claim provides for a pre-petition arrearage in the amount of \$7,558.38, the proposed plan does not provide for any pre-petition arrears owed to Creditor in contradiction of Creditor’s rights under 11 U.S.C. §1322(b)(2) and/or §1322(b)(5).
4. That sufficient grounds exist for denial of confirmation as Debtor’s plan:
  - a. Debtor’s Plan states Debtor is working directly with the Creditor regarding a Loan Modification Agreement which will cure any pre-petition arrears. Creditor has no record of a pending Loan Modification Agreement at this time.
  - b. Fails to cure Creditor’s pre-petition arrearage claim amount in full.
5. Creditor has incurred attorney fees and/or costs in connection with this bankruptcy proceeding subject to court approval, including:

\$550.00 for Objection to confirmation of the Chapter 13 plan including plan review and attending confirmation, if not separately billed.

**WHEREFORE**, Creditor prays this Court deny confirmation of the plan allowing the fees and costs described herein to be added to the indebtedness pursuant to the terms of the note and mortgage, and for such other and further relief as this Court may deem just and proper.

Dated: April 12, 2021

Respectfully Submitted,

/s/ Molly Slutsky Simons

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